

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
WOOD et al.
Serial No. 09/701,747
Filed: January 29, 2001
Title: ION CHANNELS



Atty Dkt. 620-123
C# M#

Group Art Unit:

Examiner:

Date: June 27, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment previously paid for	0	minus highest number 20 (at least 20) =	0	x \$ 18.00	\$ 0.00
Independent claims after amendment previously paid for	0	minus highest number 3 (at least 3) =	0	x \$ 80.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)					\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)					\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00					\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)					\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed <input type="checkbox"/> Submission attached					Subtotal \$ 0.00
					-\$ 0.00
If "small entity," then enter half (1/2) of subtotal and subtract <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith					\$ 0.00
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					\$ 0.00
Assignment Recording Fee (\$40.00)					\$ 0.00
Other:					TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

P4

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701747	DOCKETED BY <i>WOOD</i> + SEQ LSTN CLT/MATTER # <i>C20-123</i>	620-123
MAIL DATE <i>4/27/01</i>		INTERNATIONAL APPLICATION NO.
DUE DATE <i>JUNE 27, 2001</i>		PCT/GB99/01743
FINAL DEADLINE <i>NOV. 27, 2001</i>		IA. FILING DATE 03 JUN 99
DOCKETED BY <i>MR. J. M. S.</i>		PRIORITY DATE 03 JUN 98

DATE MAILED: **27 APR 2001**

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

<input checked="" type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Indication of Small Entity Status.
<input checked="" type="checkbox"/> Copy of the international application.	<input type="checkbox"/> Translation of the international application into English.
<input type="checkbox"/> Oath or Declaration of inventor(s).	<input type="checkbox"/> Translation of Article 19 amendments into English.
<input type="checkbox"/> Copy of Article 19 amendments.	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Priority Document.	
<input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.	
<input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.	

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

John L. Anderson

Telephone: 703-308-9116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 27 JUN 2001

09/701747

In re PATENT APPLICATION OF

WOOD et al.

Atty. Ref.: 620-123

Serial No.: 09/701,747

Group Art Unit:

Filed: January 29, 2001

Examiner:

For: ION CHANNELS

* * * * *

June 27, 2001

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements dated April 27, 2001, attention is directed to the fact that the inventor's declaration was in fact filed on January 29, 2001. A copy of the papers filed January 29, 2001, is enclosed, together with a copy of the postcard receipt evidencing that filing.

Acknowledgement of receipt of the foregoing is requested.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

By Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

MJW:tat

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TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.

PCT/GB99/01743

INTERNATIONAL FILING DATE

3 June 1999

PRIORITY DATE CLAIMED

3 June 1998

TITLE OF INVENTION

ION CHANNELS

APPLICANT(S) FOR DO/EO/US

WOOD et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1)).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. Below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information.
 This application is entitled to "Small entity" status. "Small entity" statement attached.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
09/701,747INTERNATIONAL APPLICATION NO.
PCT/GB99/01743ATTORNEY'S DOCKET NUMBER
620-123

CALCULATIONS PTO USE ONLY

17. The following fees are submitted:**BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):**

- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2) paid to USPTO \$710.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

\$ 0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	53	-53 = 0	X \$18.00
Independent Claims	5	-5 = 0	X \$80.00
			\$270.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			TOTAL OF ABOVE CALCULATIONS = \$ 0.00

Reduction by 1/2 for filing by small entity, if applicable. Small entity status must also be asserted.
(Note 37 C.F.R. 1.9, 1.27, 1.28).**SUBTOTAL =** \$ 0.00Processing fee of \$130.00, for furnishing the English Translation later than 20 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).**TOTAL NATIONAL FEE =** \$ 0.00Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property
see for Petition to Revive Unintentionally Abandoned Application (\$1240.00 - Small Entity = \$620.00)**TOTAL FEES ENCLOSED =** \$ 0.00

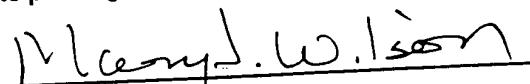
Amount to be:

refunded \$

Charged \$

- a. A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-1140 in the amount of \$ _____ to cover the above fees. A duplicate copy of this form is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.


 SIGNATURE

SEND ALL CORRESPONDENCE TO:

NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201
Telephone: (703) 816-4000Mary J. Wilson
NAME32,955
REGISTRATION NUMBERJanuary 29, 2001
Date

Serial No.: 09/701,747
Applicant: WOOD et al
Title: ION CHANNELS

Atty: MJW
Date: 1-29-2001
Client: NEWBURN
Ref: 620-123

Amendment
 Pages Specification
 Claims
 Sheets Drawings: Formal _____
 Informal _____
 Declaration (2 Pages)
 Assignment
 Priority Document
 Base Issue Fee Transmittal
 Fee (Check)

Other: TRANSMITTAL LETTER FILING COMPLETION

